



DEFACE-1094

SERIAL NUMBER		FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/056-019		04/07/98	TOUMANEN	E 1340-1-017

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EXAMINER	
ALLEN, M ART UNIT	PAPER NUMBER 7

DATE MAILED:

05/17/99

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to  
at telephone number (703) 308-0666 .

Marianne P. Allen  
MARIANNE P. ALLEN  
PRIMARY EXAMINER  
~~GROUP 1800~~  
441845

09/05/19  
Application No.: 09/056019

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s)

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

COPY FOR [ ] File [ ] Applicant

# Raw Sequence Listing Error Summary

SERIAL NUMBER:

09/056,019

## ERROR DETECTED SUGGESTED CORRECTION

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1        Wrapped Nucleics The number/text at the end of each line "wrapped" down to the next line.  
This may occur if your file was retrieved in a word processor after creating it.  
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2        Wrapped Aminos The amino acid number/text at the end of each line "wrapped" down to the next line.  
This may occur if your file was retrieved in a word processor after creating it.  
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3        Incorrect Line Length The rules require that a line not exceed 72 characters in length. This includes spaces.  
All text must be visible on page.
- 4        Misaligned Amino Acid Numbering The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs  
between the numbering. It is recommended to delete any tabs and uses spacing between the numbers.
- 5        Non-ASCII This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.  
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6        Variable Length Sequence(s)        contain n's or Xaa's which represented more than one residue.  
As per the rules, each n or Xaa can only represent a single residue.  
Please present the maximum number of each residue having variable length and  
indicate in the (ix) features section that some may be missing.
- 7        Wrong Designation Sequence(s)        contain amino acid or nucleic acid designators which are not standard  
representations as per the Sequence Rules (Please refer to paragraph 1.822)
- 8        Skipped Sequences (OLD RULES) Sequence(s)        missing. If intentional, please use the following format for each skipped sequence:  
(2) INFORMATION FOR SEQ ID NO:X:  
(i) SEQUENCE CHARACTERISTICS: (Do not insert any headings under "SEQUENCE CHARACTERISTICS")  
(xi) SEQUENCE DESCRIPTION: SEQ ID NO:X:  
This sequence is intentionally skipped  
  
Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9        Skipped Sequences (NEW RULES) Sequence(s)        missing. If intentional, please use the following format for each skipped sequence.  
<210> sequence Id number  
<400> sequence Id number  
000
- 10 ✓ Use of N's or Xaa's (NEW RULES) Use of N's and/or Xaa's have been detected in the Sequence Listing.  
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.
- 11        Use of <213>Organism (NEW RULES) Sequence(s)        are missing this mandatory field or its response.
- 12        Use of <220>Feature (NEW RULES) Sequence(s)        are missing the <220>Feature and associated headings.  
Use of <220> to <223> is MANDATORY if <213>-ORGANISM is "Artificial" or "Unknown"  
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32)  
(Sec. 1.823 of new Sequence Rules)
- 13        Wrong Format File submitted was in the alphabetical heading format of the Old Sequence Rules. This is invalid since the  
"Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures"  
Federal Register Notice, Vol. 63, No. 104, June 1, 1998, p. 29620  
applies to applications filed on or after July 1, 1998.